

# **Governing Land: Politics of (Un) Plannability in Muslim Neighbourhoods of Delhi**

Sabika Zaidi

Supervised by,

Dr Abidin Kusno

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Ontario, Canada

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## Abstract

*Delhi is one of the most extensively studied urban areas globally. Yet, academic literature on the question of “informality, as a mode of governance” (Roy 2005) has seldom paid attention to the production of Muslim spaces in the city. Jamil (2017), in her scholarship on Muslim localities in Delhi, introduces a rare perspective on how the urban Muslim is spatially organized within the dominant ideology of urbanization in Delhi. This paper examines the history and politics of (un)plannability to understand the production of Muslim colonies (focusing on Jamia Nagar) in the context of neoliberalization in Delhi and the rise of Hindu nationalism in India. The paper follows the changing body of the state to explain the political rationality of “exclusion” (Agamben 2005, Ong 2006), which does not always follow the logic of neoliberal governmentality. This paper argues that the formation of Muslim neighbourhoods as the ‘enemy within’ is taking place under state powers that pursue anti-Muslim policies on one hand and neoliberal urban expansion on the other. I highlight the conditions of use and exchange of land that facilitate the blurring of boundaries between state and society in Muslim colonies. Here, I pay particular attention to the various ‘democratic’ processes that create informality through large-scale urban land acquisition and regularization of the ‘unauthorized’. This research contributes to Jamil’s (2017) work by highlighting how the racialized Muslim space is re-produced through its exclusion. It does so by integrating spatial analysis with traditional archival materials and oral histories. The territorialized control of Muslims and the criminalization of their spatial politics have led to the solidification of a new racial order within Indian cities, where financialization of land is taking place within a niche market, determined by the ‘Muslim value’. The spatial analysis undertaken in this study highlights the practices of slow violence within urban planning and questions the ways in which the tentacles of the criminal justice system and prison industrial complex have converged on the lives of territorialized urban Muslims in India.*

## Foreword: Relationship of Paper to the Plan of Study

The 'area of concentration' in my Plan of Study is focused on the planning practices under the private property regime. This includes examining the modes of land governance and financialization adopted by local urban bodies, motivations for regional economic development, and citizens' claims and contestations in the production of urban space. Some of the learning objectives outlined in the Plan of Study, which I have incorporated within the Major Paper, are as follows:

***Learning Objective 1.1*** To develop a good knowledge of land and property rights in order to understand their relationship and impacts on land use planning undertaken by the state.

***Learning Objective 1.2*** To acquire the skills required to study the role of the state in regularising land markets and its partnership with private capital in capturing the value produced out of redeveloped land.

***Learning Objective 2.1*** To study the legacies of colonialism in neo-liberal state practices to understand the ways in which planning plays a key role in capital (re)accumulation.

***Learning Objective 2.2*** To acquire a good knowledge of the evolving role of key actors and institutions in urban development in order to understand the limits of democracy in a city/nation building project.

***Learning Objective 2.3*** To observe various forms of governance at play in the management and use of urban spaces in order to understand the formal and informal relationships necessary to sustain dominant planning practices.

***Learning Objective 3.1*** To situate the important role of socio-economic unrests in policy design to critically understand the grounded politics of identity and place.

***Learning Objective 3.2*** To investigate the role of the capitalist class and their control over land to understand their influence over planning legislation and policy making.

This Major Paper with the aim of understanding the history and politics behind the production of Muslims spaces through their controlled exclusion from neoliberal planning practices lends itself as a case study to my overall Area of Concentration. As one of the largest metropolitan areas in the Global South, Delhi provides us a window into the changing relationships between state and capital in shaping the contested development processes within our cities (Learning Objectives 3.1 and 3.2). Delhi state's evolution from a revenue collector, to an infrastructure improvement body, to a facilitator of urban amenities and finally a manager of inequalities in the city, is a good avenue to understand various methods of governance (Learning Objective 2.3). Moreover, a study of the history of land consolidation on caste and religious lines in Delhi, reveals its embeddedness in colonial practices of planning for the purposes of making its population more governable (Learning Objective 2.1 and 2.2). By focusing on the formation of Muslim colonies as the "enemy within", the paper seeks to reveal the practices of a state which pursues anti-Muslim policies on one hand, and neoliberal urban expansion on the other (Learning Objective 1.1 and 1.2).

The paper, therefore, lies at the intersection of urban politics and neoliberal policy-making as it explores the spatial politics of different classes of Muslim neighbourhoods in Jamia Nagar, Delhi. This spatial analysis of planning and policy-making, which goes against the conventional logics of capitalist development, is therefore essential to understanding the various practices of citizenship in India.

## Acknowledgements

Writing this Major Paper and finishing the MES degree might go down as one of the most confounding things I have done so far. To see it finally complete, fills me with so much gratitude for everyone who has helped along the way. The length of this acknowledgement is conservative by all measures.

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## Glossary of Terms

<b><i>Aabadi Deh</i></b>	Inhabited, non-agricultural areas within rural villages that were usually assigned a single <i>Khasra</i> (plot) number. Land records inside <i>Aabadi Deh</i> are not maintained by the Revenue department since revenue was only collected from agricultural plots. Houses or buildings inside an <i>Aabadi Deh</i> are usually assigned a property number. <i>Aabadi Deh</i> is not necessarily the same as older settlements in a village.
<b><i>Benami (No-name) Land</i></b>	A parcel of land which is purchased and registered in someone else's name, and for which the real owner remains unidentified. These kinds of records were created to escape land ceiling provisions after the Land Reforms Act, 1954, and Urban Land Ceiling and Regulation Act, 1976. More recently, Benami transactions have become a way to buy flats assigned only for lower income categories. Rent or any other income in cash or kind is controlled by the real (officially unidentified) owner.
<b><i>Chakbandi</i></b>	Chakbandi is a process of consolidation and rearrangement of land parcels in a revenue village so that each owner has contiguous parcels of land.
<b><i>Mussavi Map</i></b>	A field map and register of the revenue villages indicating its boundary and land parcels with their respective <i>Khasra</i> (land parcel) numbers. <i>Mussavi</i> is the original hand drafted copy prepared for each village.
<b><i>Khasra Number</i></b>	Land Parcel identification number in the <i>Mussavi</i> Map. This number is expected to be unique within a revenue village, for revenue purposes. Later used for urban land record keeping and subdivision.
<b><i>Lal Dora</i></b>	Original settlement boundary of a rural village as per the revenue records. This boundary was usually marked in red in the revenue village map (hence the name <i>lal dora</i> ).



<b>Land Reforms</b>	Umbrella Term for tenancy reforms, including ‘land to the tiller’, land ceiling regulations, and <i>zamindari</i> abolition. Under the Delhi land Reforms Act of 1954, Section 33: No agricultural landowner shall have the right to transfer by sale or gift, where as a result of that transaction, the landowner is left with less than 8 acres of land in the Union Territory of Delhi. Under Section 81: A landowner or tenant farmer shall be liable to eviction for using land for any purpose other than a purpose connected to agriculture, horticulture, or animal husbandry.
<b><i>Patwari</i></b>	A village accountant or registrar of the local authority who maintains the ownership records and is also responsible for the collection of land taxes for the area under their jurisdiction.
<b>Residents Welfare Association (RWA)</b>	RWA is an association that represents the interests of the residents of a specific urban or suburban locality. Membership is typically voluntary; leadership is elected and subscription fee to join and continue the membership with the association is compulsory. RWAs are registered under the Societies Registration Act of 1860. RWAs are not official organs of government, and even unauthorized colonies, slum designated areas and other “unplanned” settlement types can form RWAs to represent citizen interests.
<b>Revenue Village</b>	A revenue village is a small administrative region introduced during the British Indian administration for the purpose of revenue collection. A revenue village typically has numerous <i>Khasras</i> (land parcels) within it, including the <i>Aabadi Deh</i> , extended <i>Aabadi</i> area and agricultural lands.
<b>State</b>	Term used throughout the paper to refer to the overarching government establishment of political leaders, police, judiciary, upper/mid level bureaucratic functionaries and middlemen with political clout.

<b>State Government</b>	Term used to refer to the country subdivision in a federal form of government. In India, the state governments are the level of governments below the Government of India (aka Central Government).
<b>Unauthorized Colonies (UACs)</b>	One of the seven “unplanned” settlement types designated by the Government of National Capital Territory of Delhi (GNCTD). These colonies could be built in contradiction of any to the following (i) Zoning Regulations as per the Delhi’s Master Plans (for 1962, 2001, 2021), (ii) illegally subdivided land as per Section 33 of Delhi Land Reforms Act, 1954 or (iii) In the absence of Land Use Change for the agricultural land on which the settlement is built.
<b>Regularization of Unauthorized Colonies</b>	In recent years, the Delhi State government has undertaken a range of efforts to ‘regularize’ UACs and carry them across the line to full legitimacy. Post-regularization an UAC can transfer land and property legally and pay the required stamp duty. Regularization can also mean access to more service provision by government and financial institutions.
<b>Urban Village</b>	Rural revenue villages which have been declared ‘Urban’ under Section 507 of the Delhi Municipal Corporation Act, 1957 for the purpose of expansion of Delhi.

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## Chapter 1: Introduction

While growing up, every year the roads that led to our house in Jamia Nagar, Delhi would fall into worse and worse condition and the strong markers of a Muslim ‘ghetto’ became even more evident. The scale of the uneven development between Jamia Nagar and the rest of South-East Delhi was too stark to be ignored. Even residents of Jamia Nagar often talked of moving out to some of the newer residential constructions in nearby areas of Sukhdev Vihar, Jasola or Noida. Clearly there was something different about Muslim colonies<sup>1</sup> that prevented them from developing in the same manner as the rest of Delhi.

My understanding of the neighbourhood was further complicated after learning that the house belonged to our family, but not the land<sup>2</sup> on which it stood. Over the years as conversations around becoming ‘legal’ grew, I never quite understood why we were ‘not legal’ to begin with? How this unusual arrangement of ownership was even possible? It is only now that I understand that all residential colonies in Jamia Nagar, while being occupied and developed strongly on class lines, have one thing in common - they are all “unauthorized developments<sup>3</sup>” in the eyes of the state.

I was always most at ease when at home, but as I grew older there was always some underlying shame in disclosing my address to new people I encountered. People who lived in other parts of Delhi could identify Jamia Nagar as a “Muslim colony” and attached ever intensifying social and politically charged stereotypes to it (Baruah 2019, also explored further in chapter 4). This led me to the question that undergirds my research: How do shame and belonging come to terms with each other, especially when the identities in question are related to neighbourhood and community? As I began building a relationship with the social space around me, questions

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<sup>1</sup> The term “Muslim Colonies” is colloquially used to refer to various clusters of Muslim neighborhoods in Delhi. These include but are not restricted to Jamia Nagar in South-East Delhi; Seelampur, Welcome and other Trans-Yamuna rehabilitation colonies in North-East Delhi; Old Delhi or Shahjahanabad; and Taj Enclave in East Delhi.

<sup>2</sup> No proof of permission to use land (freehold or leasehold)

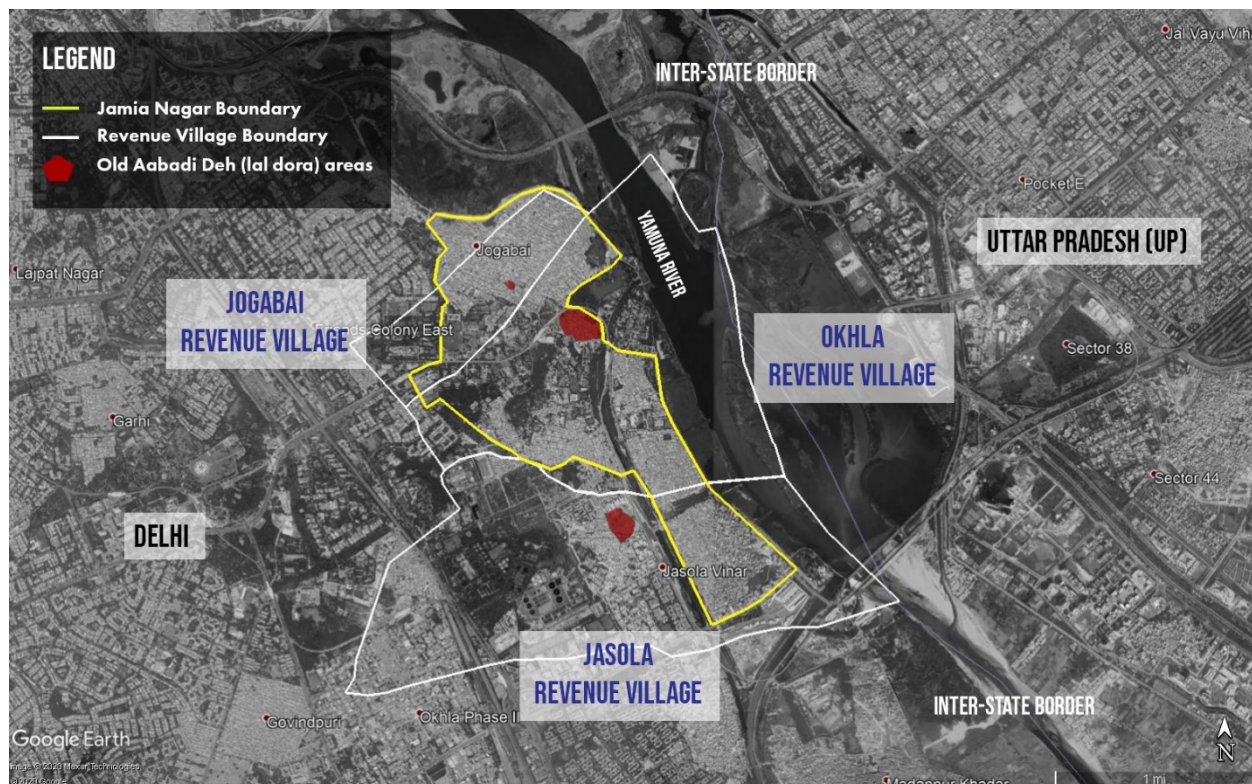
<sup>3</sup> One of the seven “unplanned” settlement types designated by the Government of National Capital Territory of Delhi (GNCTD). These settlements are often either built in ‘contradiction’ to the Delhi Master Plans. Example: developed without land use change for previous agricultural lands or been subdivided without following the policies outlined in the Delhi Land Reforms Act of 1954.

of power and history became the basis of all inquiries. *How do households in Jamia Nagar prove their de facto ownership? Why do we pay property tax when we don't have clear ownership? Who cleans our streets when there is a Municipal Corporation of Delhi (MCD) sign board at the entry of the colony that says "MCD limit ends here"? And if the "MCD limit ends here", then why are we still voting in municipal elections?*

Drawing from these questions of why my neighbourhood looks and functions the way it does, this paper contributes to the understanding of the formation and position of Muslim colonies within the politics of land acquisition and regularization of the 'unplanned'. Through the lenses of land ownership and use, I make connections between the roles played by various state planning institutions and the intermediaries between the state and society, as they navigate governance, investment, and development of urban lands in Delhi.

The Delhi that I am interested in focusing on, is composed of the land revenue villages of *Okhla*, *Jasola* and *Jogabai* (present day Jamia Nagar) that were brought into the urban sphere between 1905-1911 during the formation years of New Delhi as the new British administrative capital. I look at the evolution of the state - from a revenue collector, to an infrastructure improvement body, to a facilitator of urban amenities and finally a manager of inequalities in the city. My focus is on highlighting the conditions of use and exchange of land which facilitate the blurring of boundaries between state and society in Muslim colonies where various "democratic" processes are imagined, reworked, and resisted.

However, I have paid particular attention to not contribute to the further revelation of the processes and forms of passive resistance undertaken individually or collectively by the residents of these colonies. Theorizations on processes taking place within a bounded informal space carry a huge risk of exposing the ways in which socially criminalized communities occupy places of living and livelihood in our increasingly violent cities. Also, such theorizations often dangerously fall into the DeSotian fetishization of self-responsibility which further enables neoliberal states to decentralize and privatize urban governance.

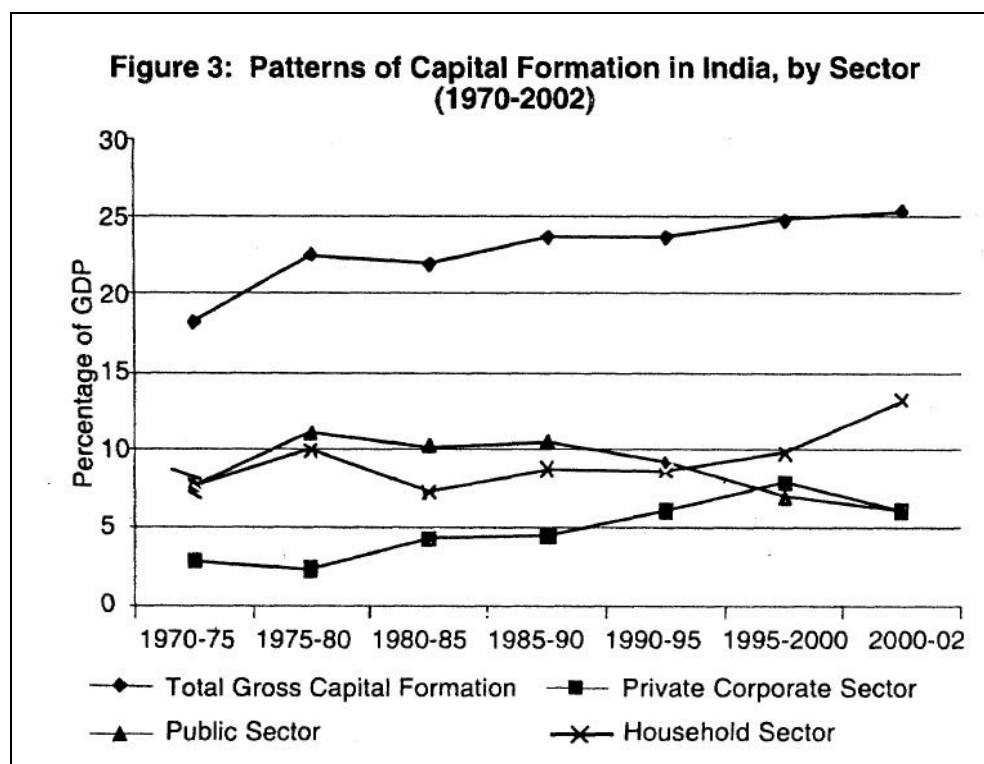


**Map 1:** Boundary of Jamia Nagar overlaid on the previous revenue villages of Okhla, Jogabai and Jasola. Also highlighted in red are the old rural settlement areas – Aabadi Deh (also known as lal doras in land record keeping documents). Source: Spatial data compiled from village maps (C-DAC n.d.).

## Conceptual Framework

Growth of residential, commercial and institutional areas within Delhi's unauthorized colonies, while being direct products of Delhi's approach to land acquisition and urban development since the early 1900s, is also reflective of a particular history of neoliberal policy experiments in the country. Brenner and Theodore (2002) and Peck (2013) describe these linkages between localized histories, institutional legacies and neoliberal policy frameworks as "actually existing neoliberalization", which produce uneven and path-dependent urbanisms across various socio-economic geographies. Arguing against the "dangerously productive myth" of neoliberal restructuring as a form of hands-off governance, Peck et al. (2009) explains how new forms of state intervention have been created to simultaneously dismantle collectivist and distributionist welfare systems, while strengthening market rule.

Kohli (2006) when discussing the industrialization processes in India, South Korea and Brazil during the 1980s, highlights that these highly interventionist states have undertaken economic growth schemes which “ruthlessly supported capitalists, repressed labour and mobilised economic nationalism to provide social glue” (p.1252). After getting re-elected, post the Indian Emergency (1975-77), Indira Gandhi abandoned previous redistributive national level policies to make way for pro-business, growth-oriented strategies to favour private investment (Virmani 2004). By scrapping legislations like the Monopolies and Restrictive Trade Practices Act (MRTP), offering major tax subsidies, loosening industrial licensing controls, opening up to foreign collaborations in the management of public sector enterprises and discouraging labour strikes and activism through special legislations, the Congress government created a charged anti-labour and “growth first” atmosphere (Kohli 2006).



**Fig 1:** Patterns of Capital Formation in India, by sector (1970-2002). Graph showing that the GDP growth in 1980s was fuelled both by public, and private corporate and household (home based businesses) sectors. In the 1990s however, public investments declined with a growth in variety of private investments. Source: Kohli (2006a)

By mid 1980s the Government of India had begun to disinvest from the state-owned Public Sector Undertakings (PSUs) through privatization and partial transfer of ownership to private industrialists (Makhija 2006). Almost a decade before the liberalisation of the Indian economy in 1991 (see Fig 1), the Indian state had already departed from its previously centrist (convenient socialism) ideologies to become a right-leaning interventionist state that distinctly supported the consolidation of power amongst the ruling elites.

The Washington Consensus on development during the 1980s and 1990s prescribed a market of free players that would take their capital to undeveloped geographies in search of higher returns, which would in turn promote competitiveness between regions and lead to further efficient allocations of resources. Rodrick and Subramanian (2004) distinguish this “pro-market” strategy from a “pro-business” strategy which supports and enables established players and geographical regions. With pro-business strategies already underway since the 1980s, the only major change brought through the Liberalisation, Privatization and Globalization (LPG) reforms of 1991 was India’s approach to foreign investment and trade. The LPG reforms also paved the way for regional and national chambers of commerce to form close political ties with the Indian bureaucracy, so much so that the 1993-94 national financial budget came to be popularly known as the “Tarun Das” budget - after the prominent West Bengal industrialist and then director of Confederation of Indian Industry (CII) (Kohli 2006b, p. 1362). By the 2000s, key policy makers including Montek Singh Ahluwalia<sup>4</sup> and Manmohan Singh<sup>5</sup> were publicly endorsing public-private-partnerships and inviting top industrialists to be a part of the decision making process (ibid.). From Tarun Das to the current leadership of CII which includes CEOs of Tata, Kotak and Bajaj Industries, these chambers of commerce continue to play a prominent role in influencing policy making and spearheading pro-growth coalitions between business elites and state officials (Confederation of Indian Industry n.d.). These alliances between the national government under the current Bharatiya Janata Party (BJP) and prominent business elites are directly reflected in the change in telecom policies during the launch of Mukesh Ambani’s JIO,

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<sup>4</sup> Ahluwalia served as the deputy chairman to the Planning Commission of India from 2004-2014, before which he was a board member of the International Monetary Fund from 2001-2004

<sup>5</sup> Singh was Finance Minister of India during 1991-1996 and was responsible for spearheading the liberalization reforms in India during the 1990s. Singh was later served as the Prime Minister of India until 2014.



through the restructuring and refinancing of public sector banks to prevent Anil Ambani from sliding into “billionaire poverty”, and through the deregulation of environmental policies in favour of Gautam Adani’s “green-washed” growth (see Srujana 2019 and Wadhwa 2020). The most prominent however has been the growth of Baba Ramdev’s spiritual empire ‘Patanjali’, with BJP’s Hindu nationalism. From pushing Patanjali products into all *Kendriya Bhandar’s* (national government employees cooperative) retail shelves to serving its samples in the Indian Parliament, BJP’s open favoritism towards business giants has been justified as - promotion of *Swadeshi* (home-grown) products (Worth 2018).

The narrowing of the ruling alliance between the state and the capitalist class has had a twofold impact – firstly, it increased the concentration of businesses in certain regional growth centres, and secondly, it contributed to the rising discontent amongst the religious and caste majorities in middle and lower income classes. Mobilization for electoral gains based on sometimes tokenistic and often divisive ethnic and religious sensibilities has been especially evident after the 1980s. The Congress party’s repressive politics to compensate for lack of material upliftment of politically under-represented religious groups opened the space for the subsequent growth of Bharatiya Janata Party (BJP)’s Hindutva politics. Regional growth centres like Hyderabad, Bangalore and Delhi in particular, have seen increased social tensions on grounds of distribution of urban development incentives within their peripheral regions (see Kennedy 2007, Mitra 2017, Pati 2019, and Dupont 2005).

Post 1991 economic reforms, consolidation and urbanization of previously agrarian land became the foundational strategy to undertake the imagined development trajectory that Indian cities had been prescribed. I argue that large scale land acquisition by the Delhi state, was not just taking place in the peri-urban areas, but also being used as a tool to formally include unauthorized urban villages like *Okhla*, *Jasola* and *Jogabai* into the governable land regime. As discussed in detail in Chapter 3 and 4, these urban villages have a layered and complex history of mixed-use residential colonies coming up on agricultural land which was acquired (but never taken possession of) by the Delhi state, through large scale acquisition in the 1990s for the purpose of “Urban Development of Delhi”.

Gururani (2019), in her work on suburban Delhi, argues that in predominantly agrarian societies like India, “the urban question is indeed also the agrarian question” (p.3). Complex micropolitics of land, property and tenure offer researchers a valuable segue into understanding the divergent trajectories of capitalist development within various regions in Delhi. Placing colonial histories within post-independence consolidation of land by caste elites in Delhi (erstwhile Punjab Province) produces a complex picture of the political economy of land and property which Gururani (2019) terms as “agrarian urbanism”.

However, there lies a reasonable amount of difficulty in identifying and studying the presence of “state” in these “agro-urban” areas, where local state power is so closely intertwined with the political power of the landed classes. In a classical interpretation of the term, the state is often understood to be the locus of authority which extends control over its masses through various practices and institutions of the government (Fuller and Bénéï 2001). Through documents of birth, marriage, death, citizenship, housing occupancy permissions, utilization of public amenities and taxation - the state organizes and validates its citizens at every stage in their lives. But when questions of power begin to reveal the hidden secrets and practices of violence by the state, the unifying and sovereign concepts of the state begin to break down (Tarlo 2003).

This paper, therefore, aims to find a way to answer the question: how can we study the state? To begin this process, in the forthcoming chapters I trace resource flows, distributions, and material or symbolic transactions to understand how ‘power of the state’ is mediated through fixed bureaucratic structures, local institutions and agents between the state and society. This mediation between key players, who have benefited from land consolidation in North India (Punjab region in specific) of previously agricultural land into the peri-urban sphere, is traced in the first half of the paper.

Chapter 2 looks at the interplay between social relations and spatial relations to understand how growth coalitions between the political and caste elites have become a ‘common sense’ approach in the process of agrarian urbanization. It also problematizes the definition of ‘urbanization’ within Delhi’s urban-rural hinterlands.

Chapter 3 then focuses on the particular land history of Delhi (erstwhile Punjab province) to trace the evolving practices of private property development by the various land governance and development institutions in the city. Here I use 'zones of exception' as a conceptual framework, offered by Agamben (2005) and Ong (2006), to understand the impact of the practices of land consolidation undertaken in the city.

Chapter 4 delves deeper into the development history of Muslim colonies in Delhi, with a focus on Jamia Nagar, to understand the reproduction of space through the process of exclusion. I conclude by drawing connections between the exclusion of Muslim spaces from neoliberal development processes, and impact of criminalization of Muslim spaces in the public domain. I offer an emancipatory reading of the spatial politics of Muslims (especially women) in imagining spaces of liberation and radical politics within India.

## Chapter 2: Social Relations - Spatial Relations

This history of land consolidation and development in India is embedded in colonial practices of planning, which specifically aimed to make the colonized population more governable. The British Colonial Government, as well as the religious and caste elites in India understood how “access to land” was the most powerful tool to produce and maintain dominance over large populations (Srinivas 1986). As a punishment for its participation in the Revolt of 1857, the Delhi District - previously a partially autonomous state within British ruled India - was incorporated in 1858 within the Punjab Province directly under the British. With the inaction of The Punjab Alienation of Land Act in 1900, the transfer of land ownership in the Punjab Province was restricted to certain “agricultural tribes” only, which were represented by upper caste families in the region (Cassan 2010). The membership to these agricultural tribes restricted the rights to buy and sell land amongst other rights of uses. Cassan (ibid.) also accurately observes that the British, post-1858, quickly realized that “understanding India required understanding Caste” (p.7). The Punjab Alienation of Land Act, therefore, served the dual purpose of reaffirming existing caste hierarchies that were intended to further socio-economic disparities between social groups; and at the same time provided stability to the British Empire by rewarding the loyalists to the Crown.

The development of caste hierarchy within Muslims in South Asia reveals how the spread of Islam in the subcontinent did not lead to the eclipsing of caste in the region, rather it accepted the caste society as a way to preserve authority and social prestige held by descendants of Arab, Turkish, Afghan and Persian heritage. Gazetteer of the Delhi District in its chapter “Tribes and Castes” uses the term “Chief Muhammadan Tribes” and confirms that farming land could only be owned by “Sheikh, Syed, Pathan and Mughals” (Punjab Government 1884, p.68-72).

### **Land Reforms and Growth Coalitions in India**

Land reforms in India carried out between 1950-1970 aimed at tenure reform, land ceiling and distribution, and land to the tiller reforms. While the legislation and implementation of these reforms was carried out at the state-level, the overall outcome of the reform further

consolidated existing cast-class hierarchies stemming from the British landlord-based systems of revenue collection and local power. Herring (1983) calls the land distribution policies in various Indian states a “partially completed bourgeois revolution” which has consistently reflected the interest of the ruling political regime and dominant castes. Thomas Metcalf in his study on land reform implementation in Uttar Pradesh also noted that Muslim landlords with smaller landholdings were particularly targeted and witnessed a substantial decline in economic capital as compared to the Hindu landlords (Umar 2019).

Seasonal agricultural labourers, tenant farmers and sharecroppers have been massively marginalised from the land reforms due to their positioning within the caste, religious and regional divisions. In an analysis of land reforms undertaken in various states of India, Basu (1990) argues that when combined with the national liberalization policies, these regional reforms were pro-sectoral and aimed towards increasing agricultural assets, instead of being pro-poor. Metcalf (1967) in his writings on the execution of the Zamindari Abolition Act<sup>6</sup>, 1954 in Northern India observes that these reforms could not end poverty amongst the lower castes which formed the bulk of the agricultural labourers and cultivators. The lower castes simply became tenants of the state, in place of the zamindar (landlord) class.

Kjær (2009) in *Governance and Urban Bureaucracy*, points out the tension between “efficiency and democracy” in a system of new public management adopted by the state. Indian State’s focus on maximizing the utility of the built environment and economic efficiency has led to the gradual shift of power in the hands of the “market”. However, the peri-urban land market discussed in this paper does not work in isolation and is directly linked to the increase in land rent for the caste-based growth coalitions active in the Delhi region. The other characteristic sign of the “marketized” state, according to Kjær, is the use of performance indicators to design policies and then use them to assess the output produced by those policies. The ‘market’ here was used for the consolidation of power and wealth in the hands of already powerful caste and class elites.

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<sup>6</sup> Land reform aimed at abolishing the landlord-based system of revenue collection which were set up by the British Colonial Government.

The urban growth coalitions (Molotch 1976) in Indian cities reflect a pattern of land, labour and capital accumulation achieved in social formations that are founded and maintained on caste, religion and gender hierarchies (Kozlowski 1980 and Pandey 2013). Bichler and Nitzan (2004) in *Dominant Capital and The New Wars*, suggest that the notion of “accumulation” needs an empirically grounded theorization. They argue that accumulation cannot be understood only as a material term, but in fact is a representation of a dominant groups’ ability to financialize on its socio-political power and their ability to convert growth coalitions as a ‘common sense’ method of urban development.

In Delhi, the Punjab Land Alienation Act of 1900 led to the socio-political class solidification of the *Jats* and *Yadavs*, both dominant land-owning agricultural tribes in the region. The *Jat* political clout in the region further increased with their entry into farmers’ unions which played a pivotal role in championing the ‘backward’ landowning community (Chakravarty-Kaul 1996). *Gujars*, who were an agro-pastoral caste, were gradually pushed to less fertile arid and rocky stretches within Delhi. However, after the passing of the first Delhi Master Plan in 1962, a new focus on urbanization and land development did not link the exchange value of land with agricultural productivity any longer. Arid and fallow land owned by *Gujars* became highly desirable during the building of urban centres and highways (Gururani 2019). *Gujars* soon entered the real estate market in Urban Delhi, along with *Jats* and *Yadavs* to formed the dominant political class in the 1970s-80s. As observed later in the case of urban villages of Jamia Nagar, the new non-Muslim capitalist class quickly moved out of the congested *lal doras* (original settlement areas in rural villages) to settle in the planned colonies of Delhi.

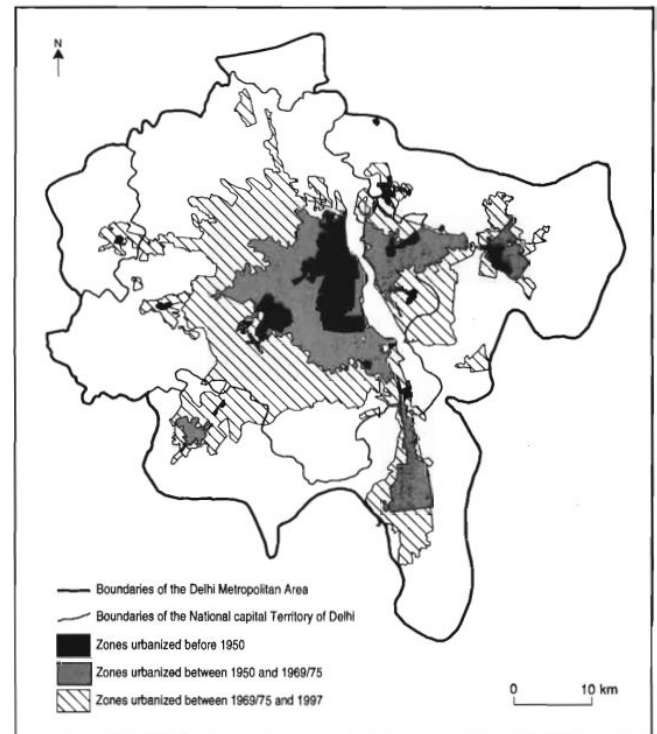
### **Spatial Expansion and Urbanization in Delhi**

The spatial expansion and patterns of settlement in Delhi are closely linked to the flows of migration in the city. In the period between declaration of Delhi as the new capital of British India in 1911 to Indian independence in 1947, the population of Delhi almost quadrupled from 238,000 to 900,000 (Dupont 2000). During the Indian partition, Delhi received about 470,000 refugees from the Punjab and Sindh regions, while about 320,000 Muslims left Delhi and migrated to Pakistan. The population of Delhi reached about 1.4 million by 1951 (ibid.).

The multi-directional spatial expansion of Delhi's urban area doubled between 1941 to 1961 to accommodate this drastic demographic expansion. Post 1981, population, and settlement growth in the rural peripheries of Delhi was taking place at a much higher rate (9.6%) than its urban core (3.8%).

However, the parts of Delhi that were still considered as 'rural villages' as per the 1991 Census had more in common with urban agglomerations than their rural counterparts in India. With the 'failure' of planning institutions in Delhi to respond to the housing needs of the new urban-rural populations, growth of unauthorized colonies on previously agricultural land began after the first Delhi Master Plan of 1962. This method of urbanizing in the rural hinterlands of Delhi is what Roy (2005) recognizes as production "unplannability" by the state. Roy argues that informality as a state of exception has become the "formal order of urbanization" (p.147).

Socio-spatial relations as products of planning, and in response to planning techniques by the Delhi state are discussed in detail in the subsequent chapters. Production of space, here, is understood to be a reflection of the conflicts and tensions that arise from various social interactions on the boundaries of state and society.



**Map 2:** Spatial Expansion of Urbanized Zones in Delhi (1950-1997). Source: (Dupont 2000)

### Chapter 3: Delhi's Institutional History

In 2018, a report on the 'Situation Analysis of Property records in Delhi' (IIHS 2018) concluded that not only did Delhi not have a single custodian of land and property records for all of the National Capital Territory, but also that there is no one record or format across the various governance and planning typologies. This ambiguity in records and record keepers of Delhi suggests that the slice of society that is in fact recorded and documented by the state, is not representative of the actual activities taking place in the city. Which brings us to the question, *'if it's not the reality that is being documented then what actions are being taken based on the part of our lives that is being documented'?*

In a reflection on the slippage between 'paper realities' and 'lived realities', Tarlo (2001) explains that the value in studying state records lies not so much in the statistics they produce, but in the insights they provide about the state's changing functions and priorities. An analysis of Delhi's records makes visible a history of violence in the form of dispossession and displacement. The *Economic Survey of Delhi* 2008-09 switches between the two unrelated metrics of legality of ownership and condition of housing, to state that only 23.7% of the population in Delhi lives in "planned colonies", with majority of the remaining population living in areas categorised as "slum designated areas" – 19.1%, "JJ Clusters<sup>7</sup>" – 14.8% and "regularised-unauthorised colonies" – 12.7% (Government of Delhi 2009). The *Economic Survey of Delhi* 2018-19, further simplifies this assessment by only mentioning the "number of these settlement types" in Delhi and attempts to hide its continued failure to provide adequate housing to Delhi residents by completely omitting the "percentage of population" statistics (Government of Delhi 2019).

This section of the paper analyses the layers of history of land record keeping and the development practices undertaken by various institutions of land governance in Delhi, to explain - why typologies of land development tied to socio-spatial realities in Delhi produce statistics like the one highlighted above by the *Economic Survey of Delhi*? Here I analyse the

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<sup>7</sup> Juggi Jhopri Clusters: hutments or small roughly built shelters



colonial practices of land record keeping and distribution, before moving on to study existing post-colonial institutions of planning in Delhi and how they have internalized these colonial practices of land ownership and development.

### **State, Revenue and Land**

The British Empire's major interest in developing a system of land records was primarily for the purpose of revenue collection. The British system of land administration and revenue collection was strongly informed by the capitalist notions of the English Common Law which viewed land as property and associated exchange value with land (Harris 2004). However, when confronted with the complex rights of uses of land in the colony, the Government of British India realised that it could not simply erase the existing terminologies of land use and revenue collection in Delhi. This oriental empiricism led to a conceptual layering of meanings and practices associated with lands like *waqf* and *nazul*, which continued to be referred as the same in revenue records and judicial purposes (Pradhan and Lal 2019). The cultural values associated with them, however, underwent considerable mutation due to land administration and change in ownership titling system under the new Imperial administration. Making holdings or estates *waqf*, for instance, meant endowing an estate onto family members for the continuance of family honour and prestige. But by the end of the nineteenth century, the pressure of British jurisprudence transformed the nature of *waqf* from familial to charitable endowments for public or religious welfare (Kozlowski 1980b).

Agricultural land in British India fell under one of three the systems of revenue collection: (a) *zamindari* or landlord-based system), (b) *raiyyatwari* or individual cultivator-based system and (c) *mahalwari* or village-based system. Delhi (under the Punjab Province) since 1857, came under the *mahalwari* system where the village bodies jointly owned the village and were responsible for land revenue from the Revenue Village. The composition of this village body, however, was usually very homogenous and often consolidated in the hands of upper caste families loyal to the crown (Banerjee and Iyer 2005). The British system of land revenue collection thereby created a regime of private property ownership, which has since continued to be owned and controlled by the upper caste families in Indian villages.

These systems of revenue collection, as discussed by (Chakravarty-Kaul 1996) his book *Common Lands and Customary Law*, marked the demolition of common property in the Punjab region during the British period. Kaul argues that the British government established the political assumption of village control in the hands of landowners, as they took the central stage in the institution of agrarian land administration. Hence, the British system of land-revenue administration directly contributed to the decline of joint control of common land resources within villages and the rise of private property rights amongst land owning higher caste farming families, which the author refers to as the 'tragedy of the commons' (Ibid., p.4). Kaul also remarks how these practices reveal the intention of the Colonial state to 'fix' the nomad and convert him into a cultivator. During this period, the state began large scale acquisition through eminent domain, to become a major landowner. Acquisitions under "planned development of Delhi" were undertaken to expand roads, railways, and canal networks for the urbanization of Delhi. The colonial state here became the primary force behind the transformation of agrarian land into urban land.

### **Institutionalized Expansion of Urban Delhi**

In 1907-08, all village land outside the old walled city of Delhi was surveyed and underwent the process of *Chakbandi* (village consolidation) to enhance the British government's revenue collection. Since the Britishers were concerned with collecting revenue only from agricultural land, all village land inhabited by people (*Aabadi*) was circled as *Aabadi Deh* and left unsurveyed. This spatial land record system identified the quality of soil based on its fertility for cultivation to determine revenue collection rate, thus eliminating the need to officially document any use or customary rights associated with a particular piece of land. In cases of land acquisition by the state, ownership rights could be proved by producing land records from the Revenue Department. However, claims to compensation by any tenant farmers or other users of land was determined by a *Patwari* (land record keeper) of the Revenue Village, based on the documents that non-owners were able to produce to prove their use rights.

Shortly after the consolidation of revenue villages into Delhi, in 1938, the Delhi Improvement Trust (DIT) was formed on the recommendations of Arthur Parke Hume, who was

commissioned in 1937 by the British State to assess the conditions of urban congestion and poverty in Delhi (Legg 2006). Hume's report presented a picture of crumbling infrastructure and overcrowding in Delhi and suggested that residents be moved out of the walled city and surrounding slum areas. Like Hume, Patrick Geddes also criticized the congestion and unsanitary conditions in Delhi and proposed his own techniques of diagnostic survey and conservative surgery to improve urban areas within imperial colonies. These "improvements" to Delhi proposed between 1937-47 under DIT were never successfully realized, but in essence sought a "material representation of a viable colonial modernity" (ibid., p.182). These imported practices of 'development' that aimed to improve spatial planning, promote public sanitation and make land parcels available for easy marketization by removing all 'public nuisances' and 'health hazards' in surrounding areas informed the first Master Plan of Delhi prepared by the Delhi Development Authority in 1962.

73 years after Independence from the British Empire, Delhi Development Authority (formed in 1957), continues to use the same revenue maps as the starting point of all spatial land records in Delhi. This uncertainty, in rights to land use and appropriate compensation in cases of acquisition, continues to affect land-less occupants and users in these Urbanized Revenue Villages of Delhi. For people owning property inside the *Aabadi Deh* (also known as *Lal Dora* areas) there is no record keeping that can prove their claim to the land on which their property is built. Proof of property ownership here can be shown by producing either utility bills, property tax receipts or validation letters with property numbers from the village *Tehsildar* (revenue officer).

Delhi Development Authority (DDA), formed under the Delhi Development Act of 1957, is often referred to as the "successor of Delhi Improvement Trust (DIT)". DDA inherited all properties of DIT including all *Nazul*<sup>8</sup> lands and all 23 *Nazul* Revenue Estates owned by the DIT. In addition to this, DDA is also responsible for managing all Ministry of Rehabilitation's land, Land and Development Office's land, Urbanized *Gaon Sabha* (village body)' land, and land acquired

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<sup>8</sup> Under the Mughal Administration, *Nazul* lands were Crown land under the Emperor. However, in current terminology, it refers to land owned by local municipal authorities for development purposes.

through acquisition that was never allotted for the intended “public purpose” – essentially creating a huge land bank owned by DDA (Jolly 2010). This makes DDA, the biggest landowner in Delhi, very much like the British Colonial State between 1857-1947.

Once a revenue village is declared ‘Urban’, under the Section 507 of the Delhi Municipal Corporation Act of 1957, it is not governed by the Delhi Land Reforms Act of 1954 anymore. Which amongst other administrative changes, also results in the withdrawal of the Revenue Department’s responsibility to update land records. Non-maintenance of inventory of land acquired by DDA has resulted in huge parcels of land scattered across the city that DDA has never taken possession of. Many of these lands all across Delhi, allotted to DDA but never taken possession, gradually have been taken over by original owners or land mafias, who fully aware of the legal status of the land, have sold it on market prices to unsuspecting buyers. This ambiguity is a result of using land records created for the “non-urban”, for “urban” planning purposes. Further, records which do not show the actual use on these lands, have become one of the major contributing factors behind entire stretches of neighbourhoods being characterized as “unauthorized development”, as highlighted in the *Economic Survey of Delhi 2008-09*.

### **‘Failure’ of Institutionalized Planning?**

Immediately after independence in 1947, Delhi Lease and Finance (DLF), a private developer company started buying large parcels of agricultural land and developed them into elite neighbourhoods throughout Delhi. DLF also held on to large chunks of land in anticipation of future increase in land prices. DDA, in 1957, was hence formed as a response to DLF’s speculative practices and entrusted with all publicly held land in the city (Ghertner 2010). The first Master Plan of Delhi (MPD), prepared in 1962, allotted a quarter of all residentially zoned land, owned by DDA, for the purpose of low-income housing for new migrants. DDA and its private contractors secured migrant labourers from the neighbouring provinces of Uttar Pradesh, Bihar, Rajasthan, Haryana, etc. As the first Master Plan was followed by a boom in the construction sector, Delhi witnessed a huge influx of migrants from adjoining provinces, and labour camps were created on vacant land close to construction sites which housed workers

and their families (Ghertner 2010). The low-income housing constructed was not used to house these migrant workers, who continued to live in the semi-permanent and poorly constructed housing. In fact DDA achieved less than 10% of its low-income housing target in the first 50 years of its existence (Verma 2002).

Most slum designated areas and JJs in Delhi started off as labour camps and still predominantly continue to house migrants that cannot afford housing in 'planned' residential areas. Illegality, poor infrastructure services and the absence of tenure security, then become the price that the economically weaker class (often lower caste) of urban India pays for affordable shelter and housing in its cities. Local politicians within the city quickly realized the electoral potential of incorporating migrants in the city within the political umbrella. Residents of these "illegal" settlements have also, in turn, increased the legality of their occupied land plots by securing voter IDs and ration cards (welfare cards) associated with these addresses, a rights-based negotiation that Benjamin (2014) has called 'occupancy urbanism'. A quarter to a half of population of India's large cities lives on public land which India's development state chose to overlook, and by extension indirectly supported until the recent years. Ghertner (2014) argues that the history of slums and other 'illegally' occupied settlements in Delhi is in fact "a history of the public city" and the ongoing politics of slum demolitions throughout Delhi under different state governments "marks the end of the public city" (p.1562).

DDA, since the 1990s, has been increasingly involved in the selling of 'un-utilized' land under its possession, thereby participating in the same private property land market system that it was established to put an end to. Additionally, DDA's most important task since its inception has been to construct low-income housing in the city. However, a closer look at the quantity of housing by 'income-type' produced by DDA in the last 60 years, along with the statistics of housing shortage by 'category of income', present a picture of neglect where housing subsidies have been channelled towards the urban elites much more than the poor (Maitra 1991). With DDA and Delhi state government's categorical neglect in providing affordable housing to the landless working class migrants, this housing gap was filled with an almost equal growth of "unauthorized" settlements in the city (Verma 2002).

These ways of city building, however, operate in special niches that are not strictly aligned with the formal structures of real estate, finance, and planning. Taking place within the important nodes of the city, in complete sight of the state and in constant negotiation with the Master Plan, these peripheral developments continue to challenge the institutional logics of planning. However, identified by Roy (2011) as the “grey spacing taking place at the periphery of peripheries”, when state defined ‘illegality’ is accompanied with acute stigmatization and second-class citizenship identities— as in the case of Muslim colonies in Delhi— grey spaces are tolerated only as long as they can be managed by state power.

Bhan (2013), in his analysis of histories and categories of state defined informality and illegality of housing settlements in Delhi, problematizes the popular narratives of the “*failure of planning*”. Using Roy (2005)’s notion of urban informality as a type of governance, instead of a description of a bounded space or sector which exists transversally with the formal/legal systems in the city, Bhan argues that it is the Delhi Master Plan (and not a failure of its implementation) that produces and governs irregularity in the city. Further, the flexibility in Delhi state’s ability to decide what is informal and how it differs from illegal, as well as the continuously negotiated process of regularizing the informal is what Roy (2004, cited in Bhan 2013) terms as “a spatial mode of governance”.

In recent years, the Delhi state has undertaken a range of efforts to ‘regularize’ unauthorized colonies with the promise of carrying them across the line to full legitimacy. Popularly referred to as “regularization drives”, these drives are a point of continuous contention and debate before every political cycle, with regularization being on the agenda of all political parties across the spectrum. In the latest drive in 2007-08, the Government of Delhi put forward guidelines for submitting regularization applications and invited unauthorized colonies to submit applications with neighbourhood level information.



**Map 3:** Sample of detailed layout plans submitted. A compulsory requirement for regularization applications. Resident Welfare Associations (RWAs) would bear the expense of hiring private architects, surveyors, and enumerators to submit such extensively detailed applications. Source: Delhi Development Authority's portal<sup>9</sup> for viewing regularization applications.

In response, 1,639 colonies (including 17 from Jamia Nagar) filed for regularization, and suddenly the government, private developers and educational institutions interested in unauthorized colony statistics, had public access to detailed information on every colony. These applications not only have layouts of built and unbuilt structures within these 1,639 colonies, but also information, like names of head of the families, phone numbers, and level of access to public infrastructure at the plot level. This apparent 'consent' from residents in disclosing information at the plot level, which meant disclosing information at the household level, stems from a lack of access to basic physical infrastructure. Within the unauthorized colonies, there is

<sup>9</sup> As a methodological safekeeping measure, direct information to access this public portal has been intentionally not provided by the author.

also a desire to be able to participate in the formal banking system and land markets which until now they have been denied. Which makes this 'consent' nothing but a coercive tactic by the Delhi state to access information on these colonies, which they themselves have been unable to gather through their own 'official' processes.

**Application & check list for Regularisation of Unauthorised Colony**

(To be filled up by the Resident Society and to be countersigned by Architect-Town Planner & Service Engineer)


1.	Name and address of the Colony	Noor Nagar Extension Okhla, Jamia Nagar, New Delhi-25
2.	Regn. No. in the GNCTD list	00003 dt: 22-11-2004
3.	Name of Resident Society	Noor Nagar Extension Welfare Association
4.	Registration no. of the Resident Society (with Registrar of Societies)	S/19195/88
5.	Names of Physical Surveyor & Socio-economic Surveyor	ABM Engineering & Surveyor
6.	Name of Services Engineer	ABM Engineering & Surveyor
7.	Name of Supervising Engineer	ABM Engineering & Surveyor
8.	Name of Authorised Signatories	[Redacted]
9.	Category of colony (as notified vide Public notice dated 14.10.2007)	F
10.	Revenue Village	Mehruli
11.	Zone (As per Master Plan of Delhi)	Central Zone
12.	Date from which unauthorised colony exists	1st January 1981
13.	Location/surroundings (Towards North, South, East & West)	N: Okhla Tank S: Noor Nagar E: Okhla Vihar W: Ghaffar Manzil
14.	Development Area No. MCD/NDMC/Cantt. Board Area?	
	Whether falls in Notified Slum Area?	
15.	Total area of Unauthorised Colony	7.8 Acres
16.	Land Status/Ownership	Private
17.	Court Case, if any (Please attach details)	No
18.	Land whether notified for acquisition	No

Noor Nagar Extension Jamia Nagar, New Delhi-25		opment
-Roads		Yes
-Water Supply		No
-Hand pumps		No
-Tube wells		No
-Underground Water Tank		Yes
-Street Light		No
-ESS/Transformers/Generators		Yes
-Drains		No
-Sewerage/Sanitation		Yes
-Fire fighting installations		No
31. Status of Facilities	Nos./Area/ Width/Length	Stage of Devel- opment
-Parks/Transport lots/Common		No
-Open space		No
-Schools	School (Pvt.)	Yes
-Community Hall		No
-Common parking areas		No
-Dispensary/Health Centre		No
-Religious structures	Masjid + Mandir	Yes
-Police Post/Fire Post		No

Enclosures:

- Resolution of the Resident Society.
- Registration Certificate of Society with authenticated List of members/owners/occupants.
- Existing Survey (05 copies + CD)
- Regularisation Plans/ 5 Lay out Plan (Service plan (05 copies+ CD).
- Undertaking as mentioned.
- Certificates/documents/NOCs as mentioned.

  
 Signature of Authorised Signatory  
 Resident Society  
 General Secretary  
 Noor Nagar Extension Welfare Association  
 New Delhi-110025

**Image 1 and 2:** Excerpts from a regularization application, detailing out the total area, number of vacant/occupied plots, total population, date of formation, land acquisition notifications etc.  
Source: Delhi Development Authority's portal for viewing regularization applications.

This downloading of responsibility onto the resident welfare associations (RWAs) since 2008, to undertake the entire process of regularization at the neighbourhood level— including surveying, data collection from individual families as well as public service providers— is very much a part of a series of policy introductions by the Delhi state to decentralize governance and development responsibilities and consolidate more power in the hands of the landowning elite.



While some decentralization policies, like the 2008 Regularization Scheme, have added more onus on marginalized communities to prove their legality, others like the *Bhagidari*<sup>10</sup> (partnership) scheme, as illustrated by Chakrabarti (2007) and Ghertner (2008), have resulted in the increased mobilization of Delhi's middle class (often upper caste) within the governance sphere. The increased representation of middle class interests in municipal politics has not only resulted in increased public spending in middle and upper class neighbourhoods, but also added to the growing intolerance towards slums and other unauthorized developments by the city's poor, in and around these affluent neighbourhoods.

This 'rational', controlled, and pacified middle class which is eager to participate in the development politics within Delhi, hopes for a clean and orderly urban landscape which can facilitate increased land and property rents in their neighbourhoods. On the other hand, only 2 out of 17 RWA's operating within various Muslim neighbourhoods of Jamia Nagar have been successful under the 2008 regularization drive. The following chapter on 'Muslim Colonies in Delhi' situates this history of land development and decentralized urban governance in detail and reflects on the Delhi state's flexible dealings with land, capital, and local politics within these Muslim neighbourhoods which have been produced through the process of socio-economic exclusion.

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<sup>10</sup> A Delhi based citizen-government partnership program that was introduced in 1998 by then Delhi Chief Minister Sheila Dikshit.

## Chapter 4: Muslim Colonies in Delhi

Jamia Nagar, much like the Muslim neighborhoods in Old Delhi, is remembered by residents and visitors from the rest of Delhi in reference to as a 'chaotic food hub', or by events in public memory when the educated Muslim turned out to be a terrorist<sup>11</sup>. Years of othering and criminalization of Muslims in India has fed directly into the making of recent legislations — like the Citizenship Amendment Act, 2019 and the National Register of Citizens<sup>12</sup>— where the Indian state is no longer fearful of losing popular support with the official demotion of Muslims as second-class citizens of the country. On the other hand, the commodification of the 'Muslim experience' which includes *ittars*, *kababs* and other sought after culinary offerings has led to the creation of what Jamil (2017) calls the 'bourgeois public sphere', where the chaos of Muslim life has been put on public display for the consumer.

This chapter offers a history of the people and places in Jamia Nagar to make sense of the experiences of Muslim exclusion in Delhi. It does so by analyzing markets of land development, public negotiations for regularization of unauthorized colonies in the area, and by offering a reflection on the people's struggle for participation in the political and economic networks of the city. By noting the class and locational differences in the discriminatory process adopted by Delhi state in the creation of these '*zones of exception*' (Roy 2011, Gregory 2009), I argue that the resultant hierarchies and segregations amongst Muslims have not only contributed to the increased social control of Muslim subjects but also to the continued legitimacy of the violent state. This inquiry arising from state practices of illegalization of space, through conditions imposed on land ownership and rights of developments, then contributes to the maintenance of socio-political categories that are essential to the larger Hindutva nation building project of marginalization and domination.

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<sup>11</sup> For reference read Amrita Ibrahim (2013) 'Who is a bigger terrorist than the police?' Photography as a politics of encounter in Delhi's Batla House, *South Asian Popular Culture*, 11:2, 133-144.

<sup>12</sup> See Counter Spin's interview transcript with Vijay Prashad: <https://fair.org/home/this-is-about-making-a-very-large-number-of-indians-second-class-citizens/>

## Methodology

The research and analysis for this section of the paper is primarily done through a study of various state documents in reference to the three urban villages (*Okhla, Jogabai and Jasola*) under consideration, including notifications and resolutions passed by the Delhi Development Authority (DDA) and the Government of National Capital Territory of Delhi (GNCTD).

Observations on various land acquisitions and subsequent allotments have been compiled from DDA's Land Management and Information System (LMIS). Details of land and property development in the unauthorized colonies of Jamia Nagar have been taken from the applications submitted by the various resident welfare associations (RWAs) during the 2008 Regularization Drives. A study of the limited (often completely absent) materialization of these acquisitions on ground, in the three urban villages, was undertaken through field visits between March 2018 to August 2018.

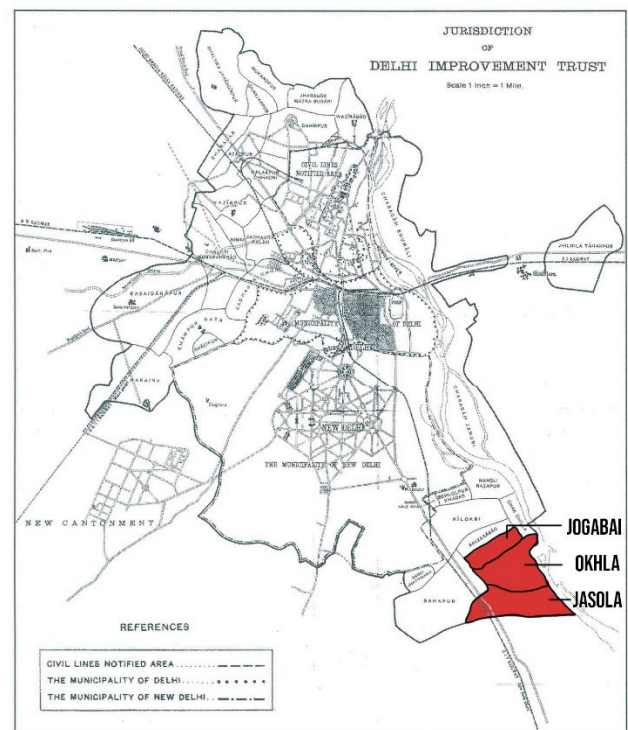
For this paper I have also drawn from previous observations during a 5 month long self-directed research project on *“Tracing the Development History of Revenue Villages in South-East Delhi”*. This project was undertaken with the supervision of Deepika Jha at the Indian Institute for Human Settlements; (IIHS) Centre for Land Governance, Delhi. All references to observations and analysis arising from this study will be cited as Zaidi (2018) in this paper.

This primary research material gathered during the 5-month long research period is accompanied by extensive informal interactions with residents and ethnographic observations of Jamia Nagar's Muslim neighborhoods which arise from my membership in this heterogeneous group. 25 years of lived experiences as a Jamia Nagar resident, including 5 years as an architecture student at Jamia Millia Islamia, and my continued familial ties to these neighborhoods have helped me develop a keen eye to contextualize contemporary changes within the networked histories of the region.

## Land Acquisitions and Subsequent Illegalization

Located about 10 miles south-east from the municipal limits of the Delhi Province in the 1880s, the *Okhla*, *Jogabai*, and *Jasola* revenue villages (present day Jamia Nagar) were sparsely populated rural villages inhabited mostly by *Ghosis* and *Gujjars*. *Ghosis* who are lower caste Muslims, are a landless class in North India who were involved in animal rearing and worked as seasonal labourers. *Gujjars* residing in Okhla where lower caste Hindus, and also pastoralists; however, after the Punjab Land Alienation Act of 1900 they were pushed to settle in mostly arid regions like *Okhla* and *Jogabai* where they became small landholders (Gururani 2019).

In an account of lands and land transfers in Jamia Nagar, Nadvi (1997) in *Jamia ki Zammeeno ki Kahani* (The story of Jamia's lands) observes that until 1930s most land around the *lal dora*<sup>13</sup> were vast stretches of forest with very low agricultural productivity. After the establishment of the Delhi Improvement Trust (DIT) in 1937, a report published in 1940 showed the three study villages to be lying outside of the Municipality of Delhi, but within the jurisdiction of DIT. The first state acquisition in *Okhla* was undertaken in 1939 for the purpose of widening the road which connected these rural villages to the Municipality of Delhi (C-DAC n.d.).



**Map 4:** Map showing Jurisdiction of Delhi Improvement Trust. Source: DIT Report, 1940

<sup>13</sup> Inhabited village settlement area demarcated on revenue maps with red ink.

Jamia Millia Islamia<sup>14</sup>, after relocating its campus to *Okhla* in 1935, had a significant impact on the population influx in Jamia Nagar of Muslims from adjoining provinces seeking higher education and professional training. By 1947, population density inside the *Okhla Aabadi Deh* had increased drastically and the first neighbourhoods to come up outside the *Aabadi Deh* areas were Noor Nagar and *Harijan Basti* (settlement for lower-caste workers). Maps published after the 1951 census by the Town Planning Organization (TPO) under the Ministry of Health, depict the population size of Okhla between 501-750 people. Maps, made in 1956 by TPO also show Okhla Village as a high-density residential area with an approximate population of 1,900 people in and around the Okhla rural village, including the Agra Canal housing, Jamia Millia Islamia's staff quarters and other residential colonies (Zaidi 2018). Around the late 1950s, commercial establishments started coming up inside the *Okhla Aabadi Deh* on the two main internal roads (Mudholi 1965). The widespread right-wing Hindutva mobilization during the 1990s, including the 2002 Gujrat riots, resulted in extreme alienation of Muslims in cities who were denied housing in non-Muslim neighbourhoods (Jamil 2017). Various neighborhoods within Jamia Nagar underwent an unprecedented expansion during this period with a surge of migration from various provinces of North-India, especially Uttar Pradesh and Bihar (Nadvi 1997).

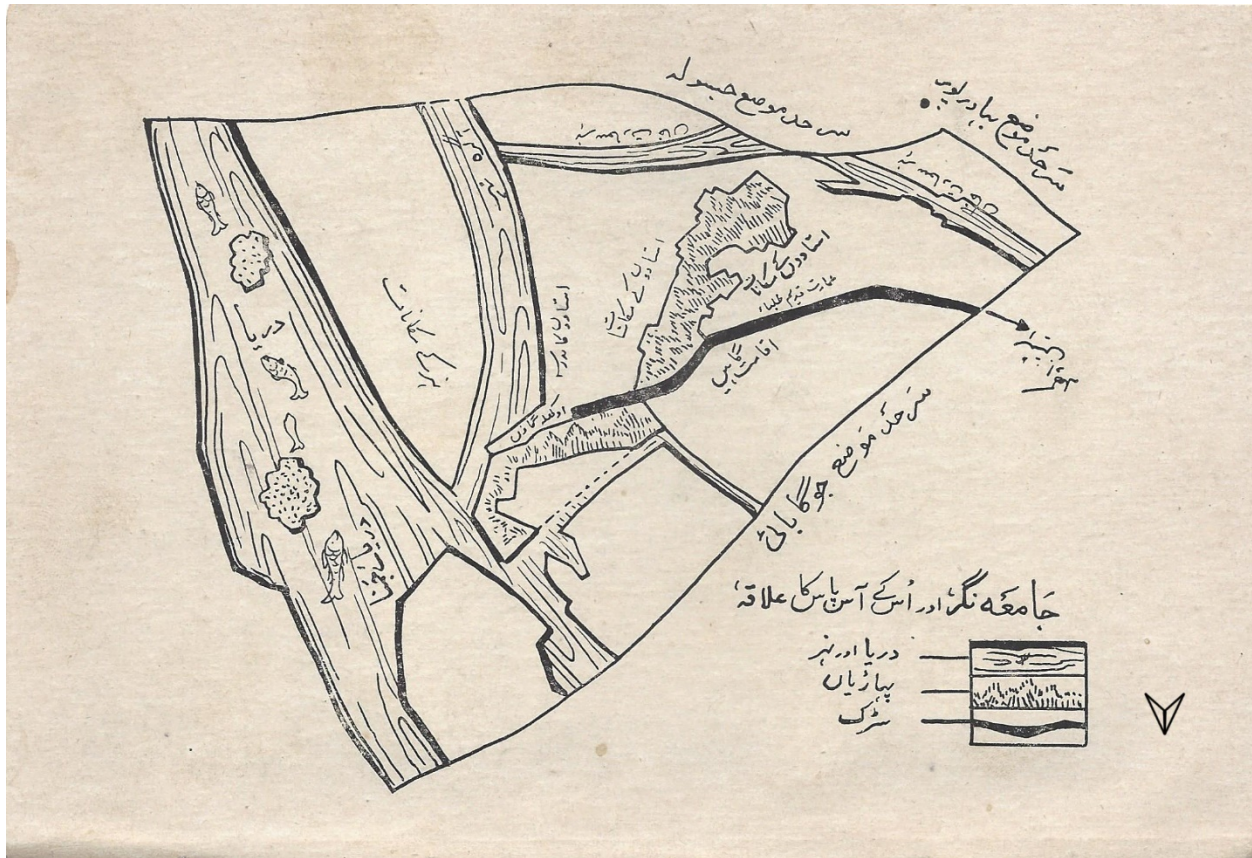
On the land development front, between 1947-50, Jamia Millia Islamia rapidly bought land in the *Okhla* and *Jogabai* Revenue Villages. But in the absence of a comprehensive master plan, the aggregation and development of this land was quite sporadic in nature. Jamia Millia Islamia was allotted large parcels of land by the Ministry of Works, Housing and Urban Development for its planned development<sup>15</sup>. It is during this time that Jamia Millia Islamia also started leasing out land to attract and settle more staff and faculty in its vicinity, and by 1952-55 had begun constructing various quarters and housing societies for its employees and students. Due to its role as a state designated provider of housing, most of the 'planned' housing in Jamia Nagar is

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<sup>14</sup> Muslim minority educational institute formed in 1920. Central University managed by the Ministry of Human Resource Development (erstwhile Ministry of Education), Government of India

<sup>15</sup> DDA resolution (F.9(40)/65-WD)

affiliated to the University, while the ‘unplanned’ neighborhoods are occupied by people who constructed their houses privately (Zaidi 2018).



**Map 5:** A hand drawn map of the Okhla Revenue Village was published in *Jamia ki Kahani (Story of Jamia)* in 1965 which illustrates the Aabadi Deh area within Okhla village and adjoining boundaries with the revenue villages of Jogabai, Jasola and Bahadurpur.

After taking over the responsibilities of DIT in 1957, the Delhi Development Authority (DDA) passed a resolution in 1966 for the ‘Redevelopment of Okhla Village’<sup>16</sup>. *Okhla*, *Jogabai* and *Jasola* villages were also declared ‘urbanized’ in the same year under section 507 of the Delhi Municipal Corporation Act of 1957. These villages, post declaration, were not governed by the Delhi Land Reforms Act of 1954 any longer, which meant the withdrawal of the Revenue Department’s responsibility to update land records. This resulted in the non-maintenance of a public inventory of land acquired by DDA in the subsequent years.

<sup>16</sup> DDA resolution no 24, (F.12(26)/65-WD)

Between 1959-1998, through various land acquisition awards, Delhi Development Authority (DDA) declared its intention to acquire land parcels for various urban development purposes. However, due to a combination of reasons—including grievances in amount and eligibility for compensation, departmental delays in taking possession of acquired land and subsequent sales to unsuspecting buyers—some of the largest and most densely inhabited neighbourhoods in Jamia Nagar were built on lands which on record, was DDA's to develop on. This series of failed land acquisition attempts by the Delhi state, without taking into consideration the increasing Muslim migration and its housing requirements (existing and projected), has led to about 525 acres<sup>17</sup> (212.46 hectares) of built-up area (residential and commercial) in Jamia Nagar being recognized as 'unauthorized' developments which exist in contradiction to the larger master planning schemes in the city.

**Table 1:** History of failed Land Acquisition or absence of land use change as per Delhi Master Plans to explain the 'unauthorized' status of the different neighbourhoods in Jamia Nagar.

Name of 'unauthorized' neighbourhood	Period of rapid expansion	Approx. built-up area	Failed Land Acquisition Award (LAA) and Allotment Schemes under DDA
Nai Basti (Harijan Colony)	1957	7.58 acres	Harijan Colony for lower caste Hindus, is one of the oldest neighborhoods in Jamia Nagar, and predates the first Master Plan of Delhi, 1962. Here building construction began without the 'Land Use Change' prescribed for previous agricultural land.
Zakir Nagar and Mehboob Nagar	1970-80	35.47 acres	All Land Acquisition Awards in these areas were issued years after the residents had built their properties in various blocks of these neighbourhoods. With the earliest being issued in 1984 (i.e. about 10 years later) for construction of National Highway-2. In 1992 (about 20 years later) large parts of these neighborhoods were notified to be acquired for the purpose of reclaiming the flood plains of river Yamuna. All these acquisitions (including LAA 5 in 1997 and LAA 51 in 1998) failed to dislocate the residents of these neighborhoods who had already built permanent houses and had gotten them registered with the Municipal Corporation of Delhi.

<sup>17</sup> Compiled from 2008 Regularization Applications submitted by the Resident Welfare Associations (RWAs) of various unauthorized colonies in Jamia Nagar to Government of National Capital Territory of Delhi (GNCTD).



Batla House	1975-76	210.72 acres	Same as Zakir Nagar, in 1992 (about 20 years later) large parts of these neighborhoods were notified to be acquired for the purpose of reclaiming the flood plains of river Yamuna. In 1998 again, DDA attempted to acquire land and allotted it to the Delhi Horticulture Department. All attempts to displace, evict, or compensate residents from these lands have failed.
Noor Nagar and Noor Nagar Extension	1981-87	17.3 acres	In 1969 through LAA 24, DDA allotted large portions of these neighbourhoods to the Delhi Horticulture Department which never took possession of the allotted lands. Between 1982-84 during the peak expansion in these neighborhoods, through LAA 5, 94, 95 and 76, DDA attempted to reclaim these lands; however, failed to evict residents who had already built permanent houses (many had begun to pay property taxes).
Okhla Vihar	1981	18 acres	Same as Noor Nagar, the land on which this neighbourhood today stands was notified in 1969 to be acquired by the Delhi Horticulture Department which never took physical possession of these lands. 20 years later, private developers subdivided land into plots and sold to unsuspecting buyers.
Ghaffar Manzil and Ghaffar Manzil Extension	1985-88	4.41 acres	In 1984 during the peak expansion in these neighborhoods, DDA notified these lands for acquisition under LAA 95 to be allotted to Jamia Millia Islamia for its planned expansion.
Abul Fazal Enclave	1978-81	75.12 acres	Two Land Acquisition Awards, 94 and 17, were issued in 1984 (about 10 years after housing settlement) and 1992 (20 years after housing settlement). However, both awards could not be carried out as residents had already built registered permanent houses (many had begun to pay property taxes).
Shaheen Bagh	1985-92	142.9 acres	Same as Above
Jogabai	1990	12.52 acres	Immediately after the Jogabai neighbourhood saw an influx of residents and new construction, DDA through LAA 19 (in 1992) attempted to reclaim some parts of the neighbourhood as the flood plain of Yamuna and remaining for the purpose of National Highway – Kalindi Bypass road link.

*(Data Source: Column 3 and 4 from the 2008 Regularization Applications submitted by the Resident Welfare Associations (RWAs) to Government of National Capital Territory of Delhi (GNCTD). Column 4 compiled from analysis of Land Acquisition Awards issued by the Delhi Development Authority with the on-ground observations in these settlements.*



Key observations emerging from the above data sets suggest:

*Firstly*, most claims of urbanization suggest a straightforward process of acquisition of agricultural or unused land, followed by compensation to claimants and users and subsequent consolidation and subdivision of land for sale. However, as observed in the case of unauthorized colonies in Jamia Nagar, Land Acquisition through the state's eminent domain was used as a tool to displace residents on already inhabited land. When DDA was unable to compensate and remove residents (who in neighbourhoods like Zakira Nagar, Batla House, Abul Fazal and Shaheen Bagh had been residing there for over 20 years), the incomplete acquisition process created informality in the form of 'unauthorized' colonies.

*Secondly*, in colonies like Noor Nagar, Noor Nagar Extension and Okhla Vihar, land was acquired by DDA and compensation paid to landowners. However, in the absence of public record keeping and lack of process of physical possession and handover (to departments like Public Works Department and Delhi Horticulture Department), land that was left unclaimed for 15-20 years was taken over by local land developers and mafias who subdivided the land and sold the plots to unsuspecting buyers.

*Thirdly*, until 2011 in the absence of clear land ownership deeds, known as Record of Rights, all land transfers in unauthorized colonies in Delhi (including neighbourhoods in Jamia Nagar) were made through general power-of-attorney (GPA). GPAs, registered at the Sub-Registrar's (Revenue Department) office, were being used as a *de facto* method of not only transferring rights of land use but also assumed to be converting agricultural land to residential purposes. However, in 2011, the Supreme Court of India declared GPAs an illegal instrument of transferring rights, titles or interest in an immovable property (Raveendran, Patnaik, and Gokhale 2011). GPAs were now restricted in their ability to only be able to transfer 'right of possession' and not the 'right to be a legal owner'. This 2011 order essentially declared all transfers of residential and commercial properties in these unauthorized colonies to be illegal, until formal Record of Rights (RoR) weren't obtained by the owners. To obtain an RoR, these colonies first had to successfully undergo regularization, thereby creating a gordian knot with no apparent point of entry.

So far, only 2 out of 17 Residents Welfare Associations operating within the 9 Muslim neighborhoods of Jamia Nagar have been successful in getting their applications and layouts approved under the 2008 regularization drive. This raises major concerns on the repercussion of the self-reported data that is now available publicly, as well as the changes in the local governance structures within these colonies. In a state bid to locate and quantify illegality, self-enumeration exercises like the 2008 regularization drive have only resulted in increased visibility of the Muslim population residing in these unauthorized colonies in front of the state authorities, who after the 2020 Delhi anti-Muslim pogrom have clearly indicated their desire to establish a stronger control over the city's Muslim population.

The establishment of Resident Welfare Associations (RWAs) within these colonies has relieved the state government and DDA of its responsibility to manage illegality. The decentralization of responsibility without financial support or autonomy is what Roy (2009) calls a move towards 'civic governmentality'. While RWAs might seem like a localized collective action towards greater housing rights in the city, it's the same disenfranchised groups (including daily wage workers, illiterate, women, disabled persons etc.) who are often excluded from this process of self-governance. Another guideline under the 2008 regularization drive, is the payment of development charges (post regularization) by individuals registered under these regularization applications. While the responsibility of infrastructural development in planned colonies is primarily that of the state, Zimmer (2012) argues that in the case of unauthorized colonies, a new understanding of citizenship and public-private participation emerges, where the residents share the cost of development in the form of penalization for an illegal existence. An "illegalization" that was created by the state in the first place.

### **Shifting Illegalities**

In 1961 and 1969, the Delhi state government undertook one of its earliest known regularization drives and subsequently regularized 154 unauthorized colonies in Delhi. After which, a series of relatively less successful regularization drives were carried out in 1977 and early 1993 (Sethi 2008). However, the 2007 regularization that began under then Chief Minister Sheila Dixit, which received applications from a total of 1,639 colonies (including 17 from Jamia

Nagar), is not only the largest but also the longest carried out process, which continues till date. Major negotiations have taken place, before every state electoral cycle between various stakeholders (including RWAs, land and property developers, middlemen and elected representatives) on the issue of 'cut-off date' for regularization.

With elections just around the corner in early 2020, Aam Admi Party (AAP)'s Delhi chief Minister Arvind Kejriwal<sup>18</sup> reopened the discussion on regularization in June 2019 and suggested that the cut-off-date for regularization be shifted from January 2015 to March 2019. The new cut-off date brought the total tally of colonies under consideration to 1,797. Kejriwal also requested the central government<sup>19</sup> to recognize general power-of-attorney (GPA) as a valid document for property registry (HT Correspondent 2019). In December 2019, 2 months before Delhi state election, the Bhartiya Janta Party (BJP) led central government passed *The National Capital Territory of Delhi (Recognition of Property Rights of Residents in Unauthorized Colonies) Act*. Through this legislation, the central government reopened the possibility for property owners within unauthorized colonies (post approval) to be able to convert their GPAs into conveyance deeds or authorization slips (The Gazette of India 2019). In other words, this legislation provided the avenue for previously untapped land and property markets to be legally owned, transferred, mortgaged etc., without mentioning anything about the lack of infrastructure provisioning or overall public development within these colonies.

Delhi state government's urges to the central government to bypass the processes outlined by its own appointee (i.e. the chairman of DDA) and the National government's legislation to overturn a 2011 Supreme Court order, is a cyclically noticed tactic of tying spatial governance to electoral politics. The 2019 property rights legislation also paves the way for the 'unauthorized' citizen to transform itself (along with its private property rights) into a neoliberal citizen. A citizenship focused on consumerism and increased integration into the city's economy; but only upto the extent that is profitable for financial institutions.

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<sup>18</sup> Leader of Aam Admi Party (AAP), formed in 2012

<sup>19</sup> Federal level Government of India (GoI)

In contrast to this openness to include these settlements into the legal sphere during times of opportunity and public pursual, in September 2020 the Delhi Development Authority (DDA) in the middle of the COVID-19 pandemic began its latest eviction and demolition drive of over 100 houses constructed on the extended floodplains of the Yamuna River on the edge of one of Jamia Nagar's neighbourhoods, Batla House (Malik 2020). In an interplay of pick-and-choose of legislation like the National Green Tribunal, which illegalizes all construction on the riverbank, to the convenient dismissal of the Delhi Laws (Special Provision) Act, 2006 which requires rehabilitation prior to eviction, the September demolition comes is part of a series of recent state sanctioned legislative violence on the Muslim residents in Delhi; particularly the poor.

On the other hand, the Akshardham temple, as well as, Hindu spiritual leader Sri Sri Ravi Shankar's Art of Living centre in Delhi, despite being constructed on the flood plains of Yamuna, are not subjected to violent demolition. Instead, such establishments which are frequented by political and social elites in the city are tolerated, or at max imposed with fines (after rounds of appeals and negotiations) for the purposes of 'restoration of the ecology' through other methods (Bhatnagar 2017). These different attitudes towards different populations are an example of the flexibility of sovereign power to shift the boundaries of what is included and excluded from within the spectrums of legality and formality in the city. It is this differentiated administration of spaces and mode of neoliberal governmentality that Ong (2006) calls an "extraordinary departure in policy". The normalization of these exceptions to the applicability of master planning and development policies has enabled the Delhi state to define who and under which condition is operating under an "exception" to law.

The growth of Jamia Nagar therefore can be understood as a production of space through its exclusion from the land markets and financial supply systems in Delhi. Jamil (2017), in her analysis of the speculative practices around the built environment in Jamia Nagar, observes that local developers and builders in these neighbourhoods are able to develop and sell housing at an increased profit to the Muslim residents who have little choice to settle elsewhere in the city. This niche market of redeveloping old single/double story houses into mid rise apartments has been undertaken by local developers who, due to their existing social networks and established trust with property owners, are ready to undertake construction in these

unauthorized colonies, where more prominent private developers operating in the city are not willing to invest. Land and property values in Muslim colonies, more than being indicative of the quality of the physical space itself, are determined by its 'Muslim value'.

Historian Grace Elizabeth Hale (1999), in her study of the culture of segregation of ghettoized and criminalized black spaces, argues that black residents in Southern America were able to *own* their neighborhoods in very limited capacities. Rather, these become sites of lynching, police brutality, and inequitable public development provisioning, and were avoided by white homebuyers and business. Similarly, the flight of upper and middle class Hindus from Jamia Nagar and the gradual formation of gated, Muslim-only lanes in North-East Delhi have contributed to the solidification of neighbourhoods on religious bases in the city. In spite of existing under different legalities and housing different classes of Muslims within them, the planned resettlement colonies in North-East Delhi and the unauthorized colonies of Jamia Nagar face similar stigmatization as 'mini Pakistans' (see Bhasin 2020 and OpIndia Staff 2020).

While Muslim residents in different neighbourhoods of Jamia Nagar and North-East Delhi belong to starkly different socio-economic backgrounds, yet the similarities in the built urban fabric and material deprivation is indicative of the state of exclusion of Muslim neighborhoods from the larger development processes in the city.



**Image 3 and 4:** Internal residential lanes in Abul Fazal, Jamia Nagar (*left*) and Seelampur (*right*), a resettlement colony in North-East Delhi. Sources: [sajidReza19 via twitter](#) and [The Times of India](#)

## Chapter 5: Conclusion

The subordination of Muslim labor and the immobility of Muslim capital in hyper-segregated Indian cities have led to restrictions on the Muslim citizen's autonomy over their lived conditions. These have also ensured that Muslim citizen's integration into the urban economy is controlled in a manner that is highly profitable for professional firms, businesses and financial institutions (see Jamil 2011 and Rajagopal 2010). Combined with state practices of illegalization and territorial understandings of lawlessness and threats to national security, one's mere association with Muslim residential areas or educational institutions is incarcerating enough for one to be considered as a part of a suspicious and aggressive population.

This territorialized religious segregation and narratives of differentiated living practices (including food and clothing) of Muslims has shaped Hindus' and other communities' (including Muslims who live outside of these ghettos) spatial imaginations of Muslim spaces. With growing anxieties and religious ethno-nationalism, the association of Muslimness with criminality has led to an understanding of Muslim spaces as hazardous and unpleasant geographies which are breeding grounds for Islamist extremism, crime, and deprivation.



**Image 5:** Posters put up by the armed right-wing organization Hindu Sena (Hindu Army) on sign boards of important Islamic Institutions in Delhi. Source: [Habeebinamdar via twitter](#)

## The Enemy Within

Neoliberal citizenship rooted in rights of private property ownership and participation within the financial circuits of urban capital has increasingly come to recognize access to capital (most importantly land) as the basis of claiming political and symbolic rights in our societies. The Muslim citizenry in India has been historically disenfranchised from gaining access to land, property, and credit beyond a certain limit (Sachar Committee Report 2006). In Delhi, properties of Muslims residing in the old city were confiscated by the British for their involvement in the revolt of 1858, thereby forcing the landless Muslims to migrate to other cities like Jaipur and Hyderabad (Gupta 1986 in Jamil 2017). To further propagate the 'divide and rule' policies, the British were instrumental in creating the binary — of the treacherous Muslim and the loyal Hindu— during this period.

Pakistan, since its creation post-partition in 1947, has been vital for successive Indian governments in (re)producing and consolidating the Indian identity. Svensson (2009) in his work on *India's War in Terror* remarks on the popular imagination of Pakistan as "an inverted grotesque twin of India" (p.39). Indo-Pak wars of 1965, 1971, and 1999 as well as army standoffs of 2001, 2008, 2013, and 2019 apart from dehumanizing the 'enemy' have been accompanied by an increase in punitive laws and surveillance on Indian Muslims. Immediately after the war with Pakistan in 1965 the Enemy Property Act (1968)<sup>20</sup> went beyond a wartime measure to economically damage the Muslim community and mark them as enemy in the eyes of their Hindu neighbours (Umar 2019). In her scholarship on *Constructing the "Citizen Enemy"*, Umar (ibid.) also remarked that in the process of dehumanizing the enemy a new class of property-less "children or relatives of the enemy" emerged (p.460). The prolonged court cases of disputed 'enemy properties' and public scrutiny and validation of the Muslim citizen's citizenship have subsequently normalized anti-minority tropes against them.

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<sup>20</sup> Enemy Property Act was implemented with the objective of preventing a subject of an enemy State from carrying on business and dealing in the property situated in India.

“The message is that Muslims must not go beyond a certain class limit, and study in madarsas [religious schools], so that they can blame us for being anti-modern”.  
Interview of Raja Mahmoudabad in Umar 2019, p. 461)

Since partition, Indian Muslims have consistently dealt with the stigma of “the enemy within” and had their spatial politics questioned as threats to internal security. Muslim concentrations —be it Jamia Nagar and North-Eastern regions of Delhi, Juhapura and old city in Ahmedabad, or Mumbra and Nagpada in Mumbai —have all experienced mass arrests and surveillance of Muslim men following communal unrests in their cities. Svensson (2009), Khan (2020) and Rajagopal (2010) have all reported the annulment of class identities during these arrests. Instead, the religious identity along with associations to Muslim neighborhoods and institutions become the primary basis of surveillance and disciplining by the state and police.

The 2019 report of National Crime Records Bureau (NCRB 2019) showed that Muslims who constitute 14.2% of the Indian population are overrepresented in Indian prisons where they constitute 38.1% of all prison populations. Muslims make up 17.5% of all convicts, 19.6% of all undertrials, 58% of “other” prisoners (civil offenses), and 34% of detainees (ibid.). The percentage of Muslims under trial or arrested for “civil unrest” is only believed to have increased in Delhi since the COVID-19 pandemic lockdown. Delhi Minorities Commission in April issued a notice to the commissioner of Delhi Police stating that they have been “arresting young Muslim boys by their dozens every single day” from Muslim colonies in North-East Delhi (Khan 2020). The arrests made in relation to anti-Muslim pogrom in these neighbourhoods in February 2020 came to the forefront only after a video of Muslim women protesting on the streets of the Mustafabad neighborhood during the lockdown began to be circulated by news media. One report has estimated over 800 people (including prominent leaders and organizers during the anti-CAA protests) being arrested since February 2020 (Bhandari 2020).

Most alarmingly, while countries around the world are depopulating their prisons during the pandemic, India is seeing an unprecedented increase in arrests and convictions during this period. The Supreme Court of India in an order in March 2020 demanded the release of convicts on emergency parole and those on trial under bail. However, Delhi’s prisons which can



hold upto 10,033 people, as of October 2020 have 17,871 prisoners (approx. 178.1% overcrowding), out of which about 90% are under trial (Bokil, Sonavane, and Srujana 2020).

### **Criminalizing Space**

The primary fieldwork of this major paper contributes to the understanding of how the racialized Muslim space is produced through its exclusion. It does so by integrating spatial analysis with traditional archival materials and oral histories. I observe that the territorialized control of Muslims and the criminalization of their spatial politics has led to the solidification of a new racial order within Indian cities. This spatial analysis must be followed by a study of practices of slow violence and of the ways in which the tentacles of the criminal justice system and prison industrial complex have converged on the lives of territorialized urban Muslims in India.

One of the ways in which the Hindu nationalist project has maintained the 'othering' of the Indian Muslim is through the selective and sensational nature of crime reportage in Muslim neighborhoods. The typical response to crime inside Muslim colonies when it is targeted at Muslim residents themselves, is often neglect, contempt, and stigmatization, instead of relief and support from state functionaries. As a consequence of religious segregation and economic exploitation, Muslim women and children are at an extreme risk of violence and suffer the most in a criminal justice system which is only alarmed by crimes against non-Muslims. Crimes committed by Muslim people against non-Muslims are considered a greater threat than those committed against Muslim women, children, and elderly, if highlighted at all (see Kamat and Mathew 2003, Sarkar 1999 and Katju 2011). While not elaborated in this paper, Delhi's health care system and its inaccessibility to various classes of Muslims is another example of violence of segregation and differentiated experience of Muslims in the city. A horrifying example came to light during the six-day anti-Muslim pogrom in February 2020, when many journalists reported that Muslim victims were denied health care in nearby hospitals:

"People injured during the North- East Delhi communal riots were given dismal level of healthcare, denied of healthcare, discharged without proper treatment and sent back to areas where violence was continuing and they were referred as

“Ugravadi” (militant) and “Atankvadi” (terrorist) by the medical staff of the Delhi government run Guru Tegh Bahadur Hospital (GTBH).” (Masoud 2020)

State planning and policies of enumeration have also been used by the right-wing in India to particularly targeted Muslim houses during state enabled anti-Muslim pogroms. Earlier observed during the 2002 Gujarat riots, the Delhi 2020 anti-Muslim pogrom also showed a great deal of pre-planning with saffron flags being used to demarcate Hindu homes from Muslim households in North-East Delhi. Muslim homes and neighbourhoods, which are marked as criminal, are then further isolated from the material as well symbolic support required to protect and recover from political violence.



**Image 6:** Saffron Flags separating Hindu households from Muslim ‘enemy properties’ were noticed on 24<sup>th</sup> February in North-East Delhi, where the anti-Muslim pogrom lasted for six days between 23-29<sup>th</sup> February 2020. Source: [@vinodjose via twitter](#)

As traced by Agamben (2005), the desires of those who live in these “*states of exception*” are most often to be included in the political community as an equal. The internal boundaries amongst Muslims which preserve their class and caste distinction, then, become means of securing greater citizenship and participation. This participation however is on the terms of the majority groups, one that is mediated and legislated by the state. While greater proof in the

form of state documentation might translate into greater security for some, not all groups will be able to provide such proof.

The Citizenship Amendment Act (CAA), National Register of Citizens (NRC) and National Population Register (NPR), if/when implemented, may potentially create one of the largest crises of statelessness in the world, particularly targeted at Muslims, but also affecting low income people, trans people, women, and internally displaced people (Sathyanarayanan 2020, Shankar 2020). During such a time the identity formations within minority groups in response to state oppression and exclusion from the larger citizenry must be recognized and supported ideologically and materially.

Varun Grover<sup>21</sup>'s poem *Ham Kaghaz Nahin Dikhayenge* (We will not show you our documents) quickly gained traction and became a rallying cry at anti-CAA protests in India and across the world. If/when the time comes to withhold citizenship documents from the government, it is not possible to determine how many of the citizens (especially those with complete proof) will translate this call to action. However, the public nature of this open dissent and the threat of defying government orders at this scale, is enough to challenge the rationality of the sovereign state and to destabilize its power relations with the masses (Flyvbjerg 2003, *Proposition 5*).

Muslim neighborhoods in Jamia Nagar and North-East Delhi are becoming sites of Muslim liberation and radical politics. The Shaheen Bagh 24X7 occupation by Muslim women of Jamia Nagar, blocked the National Highway artery in Kalindi Kunj area of New Delhi for over 100 days, until being prematurely dispersed on 24<sup>th</sup> March 2020 due to the pandemic. During this time, 291 protest sites modeling the Shaheen Bagh protest emerged across various cities and towns in India with the popular sentiment of “*Har Shehr Shaheen Bagh*” (every city is Shaheen Bagh)<sup>22</sup>. This extremely powerful method of occupation and civil disobedience is exceptional in its recognition of Muslim women —who are otherwise projected to be docile members of the political society— as leaders of a nation-wide movement. However, most importantly, it is a

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<sup>21</sup> Varun Grover is a political stand up comedian known for his commentary on issues of democracy and citizenship.

<sup>22</sup> See photos of different ‘Shaheen Baghs’ in various cities in India at [In Photos: Civil disobedience is everywhere!](#) (Chhabra and Jha 2020)

reproduction of the spatial politics of Muslim women and youth, which recognizes the power of the violated, and its necessity in exposing historical oppression.





**Image 7:** Shaheen Bagh 24X7 occupation of Kalindi National Highway. Source: [via newsclick](#)



**Image 8 and 9:** Occupation of Maulana Muhammad Ali Road, by Jamia Millia Islamia students. Source: [Udbhav Seth and Alike Raina via The Citizen](#)

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